



House of Representatives

## Judiciary Committee

Chairman Bob Goodlatte

# CONCEALED CARRY RECIPROCITY ACT

H.R. 38 // REP. RICHARD HUDSON

Recently, the House Judiciary Committee approved two bills to protect Americans' Second Amendment right and to curb gun violence, the Concealed Carry Reciprocity Act and the Fix NICS Act. The House will vote on these two bills under one package this week.

## Concealed Carry Reciprocity Act (H.R. 38)

**Sponsor:** Rep. Richard Hudson (R-N.C.); 213 cosponsors

**Bill Summary:** The Supreme Court has ruled that the 2nd Amendment right to bear arms is a fundamental individual Constitutional right that the federal government and states must protect. Despite this, many states have laws that severely restrict the ability of citizens to carry concealed firearms, especially out-of-state residents.

### Summary:

- **Protects Americans' Constitutional Rights:** The *Concealed Carry Reciprocity Act* ensures that law-abiding citizens' Second Amendment right does not end when they cross state lines. The bill allows people with a state-issued concealed carry license or permit, or individuals who are citizens of states that do not require a permit to carry a concealed firearm, to carry a concealed handgun in any other state that allows concealed carry, as long as the individual follows the laws of that state.
- **Enhances Public Safety:** The facts show that citizens who carry a concealed handgun are not only better prepared to act in their own self-defense, but also in the defense of others. A 2013 peer-reviewed study in *Applied Economic Letters*, found that between 1980 and 2009, "states with more restrictive concealed carry laws had gun-related murder rates that were 10% higher." Additionally, a 2013 survey of 15,000 current and retired police officers found that more than 90% of them support the concealed carry of guns by civilians.
- **Doesn't Arm Criminals:** The *Concealed Carry Reciprocity Act* does not arm criminals. If someone is a criminal who is prohibited from purchasing or possessing a firearm, nothing in the bill would allow that person to purchase or possess a firearm, let alone carry one in a concealed fashion. That is currently illegal and will remain illegal under this bill.

## Fix NICS Act (H.R. 4477)

**Sponsor:** Rep. John Culberson (R-Texas)

**Bill Summary:** In order to purchase a firearm from a federal firearms dealer in the United States, an individual must undergo a National Instant Criminal Background Check System (NICS) check, administered by the FBI. A NICS check includes a query of three databases maintained by the FBI. If a NICS check identifies a person as falling within a prohibited category, the FBI advises the firearms dealer that the transfer is denied. However, the NICS system is only as good as the information that resides within it. Unfortunately, records in NICS are incomplete.

For example, last month a mass shooting occurred at the First Baptist Church in Sutherland Springs, Texas. The gunman murdered 26 and injured 20 others. The perpetrator was prohibited by law from purchasing or possessing firearms and ammunition because he was found guilty of domestic violence during a court-martial while in the U.S. Air Force. However, the Air Force failed to record the conviction in the NICS database.

### Summary:

- **Strengthens NICS to Protect Public Safety:** This bipartisan, bicameral bill ensures federal and state authorities comply with existing law and report criminal history records to NICS. The *Fix NICS Act* also penalizes federal agencies that fail to report relevant criminal records to the FBI, incentivizes states to improve their reporting, and directs federal funding to make sure domestic violence records are accurately reported to the FBI.
- **Contains Study on Bump Stocks:** The bill requires the Bureau of Justice Statistics to report to Congress within 180 days the number of times that a bump stock has been used in the commission of a crime in the United States, as well as whether current penalties in the criminal code already cover the use of bump stocks in association with weapons in the commission of crimes of violence.